

**Cc:** michael.mcnulty@usdoj.gov[michael.mcnulty@usdoj.gov]; Albert, Eric (ENRD)[Eric.Albert@usdoj.gov]  
**To:** Cora, Lori[Cora.Lori@epa.gov]  
**From:** Dan Silver  
**Sent:** Tue 4/19/2016 11:49:08 PM  
**Subject:** Re: Portland Harbor Superfund Site -- Account Code 103R

Thank you, Lori. I appreciate this information.

I am Wisconsin until April 27. I'll talk this information over with Mike when I return, as we prepare for the mediation. I'll let you know if we have questions about the 103R.

Dan

Sent from my iPad

> On Apr 19, 2016, at 6:33 PM, Cora, Lori <Cora.Lori@epa.gov> wrote:

>

> Hello, Dan.

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> You requested an explanation of the nature of the response costs that EPA has incurred related to the Portland Harbor Superfund Site, Portland, Oregon (the "Site") that are reflected in the attached uncertified SCORPIOS report for Account Code 103R. The Site was listed on the National Priorities List in December 2000. After the NPL listing, EPA entered into a Memorandum of Agreement with the Oregon Department of Environmental Quality, Oregon Fish and Wildlife Department, US Fish and Wildlife Service, NOAA, and six Tribes. That MOA established: (1) ODEQ as the lead for upland source control activities at the site, with EPA as the support agency in those matters; (2) the Tribes as support agencies; and (3) a Technical Coordinating Team to include all of the state, federal, and Tribal parties that would coordinate and provide input to EPA on the remedial investigation and feasibility studies. EPA and ODEQ also signed a letter agreement with the U.S. Army Corps of Engineers to establish a process by which the Corps would coordinate with EPA and ODEQ on applications for permits for navigation dredging within the Site to assure that the dredging activities were consistent with the remedial investigation and feasibility study. EPA also began funding a community group through a Technical Assistance Grant to hire a technical expert to review and comment on the remedial investigation and feasibility study. Additionally, EPA entered into enforcement orders with parties to perform the RI/FS and various other early removal actions. All of those enforcement orders included provisions for reimbursement of EPA's costs incurred in overseeing the work conducted under each of those orders.

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> Account Code 103R is the main (but not the only) Portland Harbor account code that EPA personnel and contractors charge their time and costs to for response actions undertaken that may not be within the scope of an enforceable order with a cost reimbursement commitment. Therefore, the types of response activities and associated costs that may have been charged to Account Code 103R include but are not limited to:

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> 1. Sampling, lab analysis, and information gathering for the NPL listing or other site-related purpose;

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> 2. coordinating with, reviewing and commenting to ODEQ on its upland source control work, including using contractors to review documents and/or otherwise support EPA in its source control review work;

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> 3. support agency grants to ODEQ and the Tribes;

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> 4. Technical Assistance Grant to Willamette Riverkeeper;

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> 5. coordinating with the US Army Corps of Engineers on navigation dredging projects;

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> 6. investigating and identifying potentially responsible parties;  
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> 7. enforcement activities necessary to file proofs of claim in bankruptcy matters and settle such claims; and  
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> 8. costs incurred negotiating the Linnton Plywood Association peripheral party settlement.  
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> The Booz Allen Hamilton contracts listed in the report were enforcement support related tasks and the majority of the costs were for PRP search work and negotiation support. The Parametrix, Inc. and CDM costs were primarily related to source control document review and database support tasks.  
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> Please let me know if you need further explanation or other information about Account Code 103R.  
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>  
> <103R\_1Oct2002\_to\_31Dec2015.pdf>